



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVE
NEW ORLEANS, LA 70118-3651

Regulatory Division
Eastern Branch- RGE

Project Manager:
Angelle Greer
(504) 862-2279
angelle.v.greer@usace.army.mil

Application #: MVN-2009-01517-EG

PUBLIC NOTICE

February 13, 2023

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the U.S. Army Corps of Engineers pursuant to: [] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and [X] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

Application has also been made to the Louisiana Department of Environmental Quality, Water Quality Certifications, for a Water Quality Certification (WQC) in accordance with statutory authority contained in LRS30:2047 A(3), and provisions of Section 401 of the Clean Water Act (P.L.95-17).

COMMERCIAL DEVELOPMENT IN TANGIPAHOA PARISH

NAME OF APPLICANT: Dwayne Rovira, c/o Hydrik Wetland Consultants, Attn: Mike Henry, 2323 Hwy. 190 East, Suite 2, Hammond, LA 70401 (mike@hydrik.com)

LOCATION OF WORK: At approximately Latitude: 30.477063, Longitude: -90.425772, off of Interstate-12 south service road, in Hammond, Louisiana, in Tangipahoa Parish, as shown on the enclosed drawings.

Hydrologic Unit Code: 08070203 (Lake Maurepas- Tickfaw)

The work described below was partially completed prior to obtaining a Department of the Army permit and was in violation of Section 301 of the Clean Water Act. All legal issues concerning the

unauthorized work have since been deferred.

CHARACTER OF WORK: Clear, grade, and place approximately 16,950-cubic yards of hauled-in clay/silt to facilitate the construction of an approximate 15-acre commercial development. A portion of the commercial development has been previously constructed and the applicant is also seeking to resolve unauthorized activities and associated project-related wetland impacts (1.13-acres) on the site. The applicant proposes to compensate for unavoidable project-related impacts to approximately 6.15-acres of jurisdictional wetlands through the purchase of wetland credits from a Corps' approved mitigation bank within the appropriate watershed.

The applicant may be required to fully or partially restore the site to pre-project conditions if issuance of a permit is determined to be contrary to the public interest.

The comment period on the requested Department of the Army Permit will close **20 days** from the date of this public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit request, and must be submitted so as to be received before or by the last day of the comment period. Letters and/or comments concerning the subject permit application must reference the Applicant's Name and the Permit Application Number and can be preferably emailed to angelle.v.greer@usace.army.mil or forwarded to the Corps of Engineers at the address above, ATTENTION: REGULATORY DIVISION (RGE, Angelle Greer). Individuals or parties may also request an extension of time in which to comment on the proposed work by mail or preferably by emailing the specified project manager listed above. Any request for an extension of time to comment must be specific and substantively supportive of the requested extension and received by this office prior to the end of the initial comment period. The Branch Chief will review the request and the requestor will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous and inclusive of the initial comment period and will not exceed a total of 30 calendar days.

Corps of Engineers Permit Criteria

The decision whether to issue a Section 10/404 permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public, federal, state, and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to make, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New Orleans District is unaware of any properties listed on the National Register of Historic Places near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. As deemed necessary, copies of this public notice will be sent to the State Archeologist, State Historic Preservation Officer and federally listed tribes regarding potential impacts to cultural resources.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species. Based on the Information Planning and Consultation (IPaC) tool for Endangered Species in Louisiana, as signed on January 27, 2020, between the U.S. Army Corps of Engineers, New Orleans and the U.S. Fish and Wildlife Service, it has been determined that the project would have no effect to the Red-cockaded Woodpecker (*Picoides borealis*) or the Gopher Tortoise (*Gopherus polyphemus*).

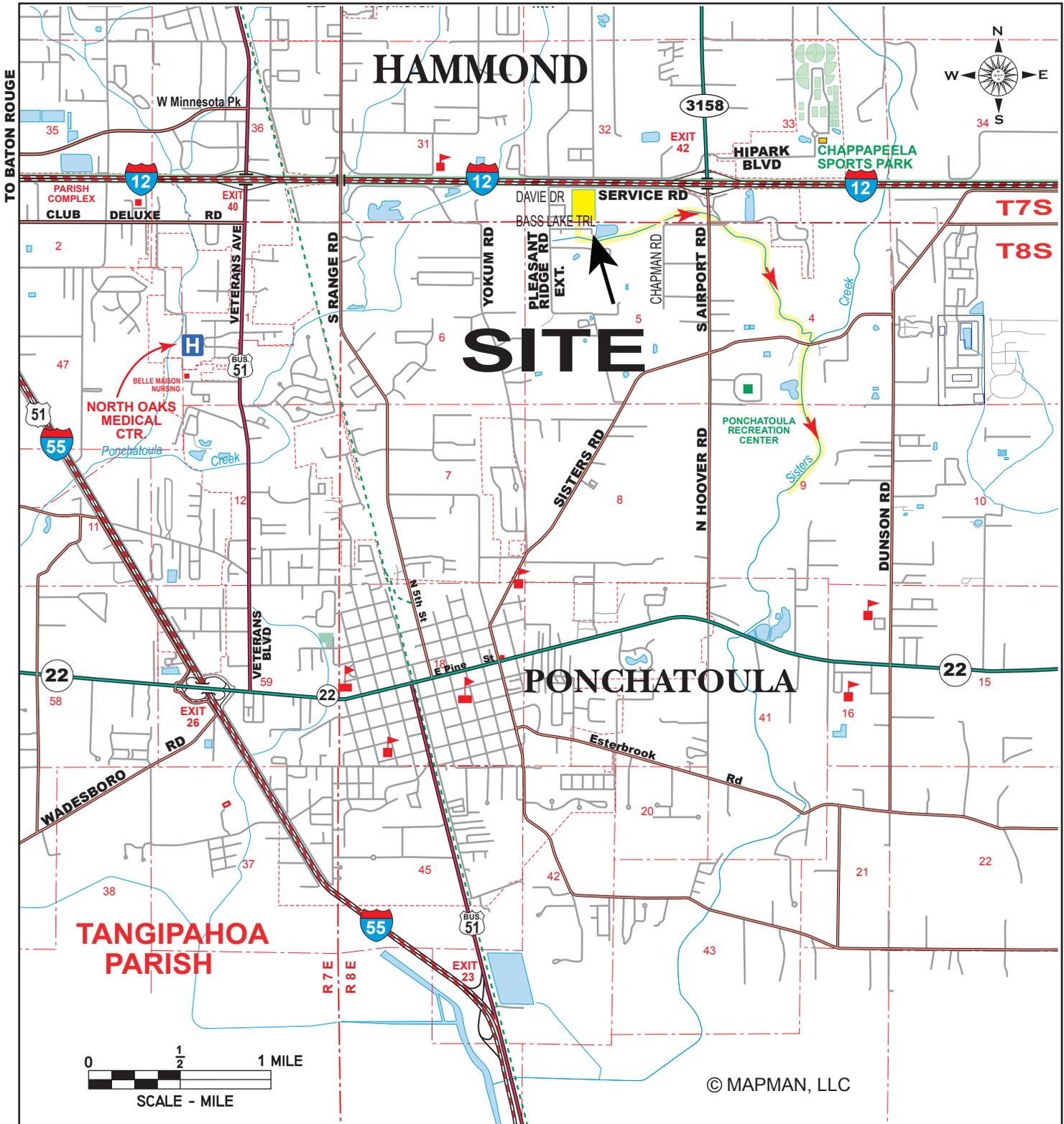
This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal is not expected to result in the destruction or alteration of EFH or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, Water Quality Certifications, before a permit is issued.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Brad P. LaBorde
Chief, Eastern Evaluation Branch
Regulatory Division



SITE VICINITY
 FLEA MARKET EXPANSION - HAMMOND
 SECT. 32, T6S-R8E
 TANGIPAHOA PARISH, LA



APPLICANT:
 DWAYNE ROVIRA

LEGEND
 [Yellow Box] = SITE
 [Red Arrow] = DRAINAGE DISCHARGE

FIGURE
 1

SITE COORDINATES
 30.47722 N, -90.42593 W

PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY.
 THIS IS NOT A LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH.

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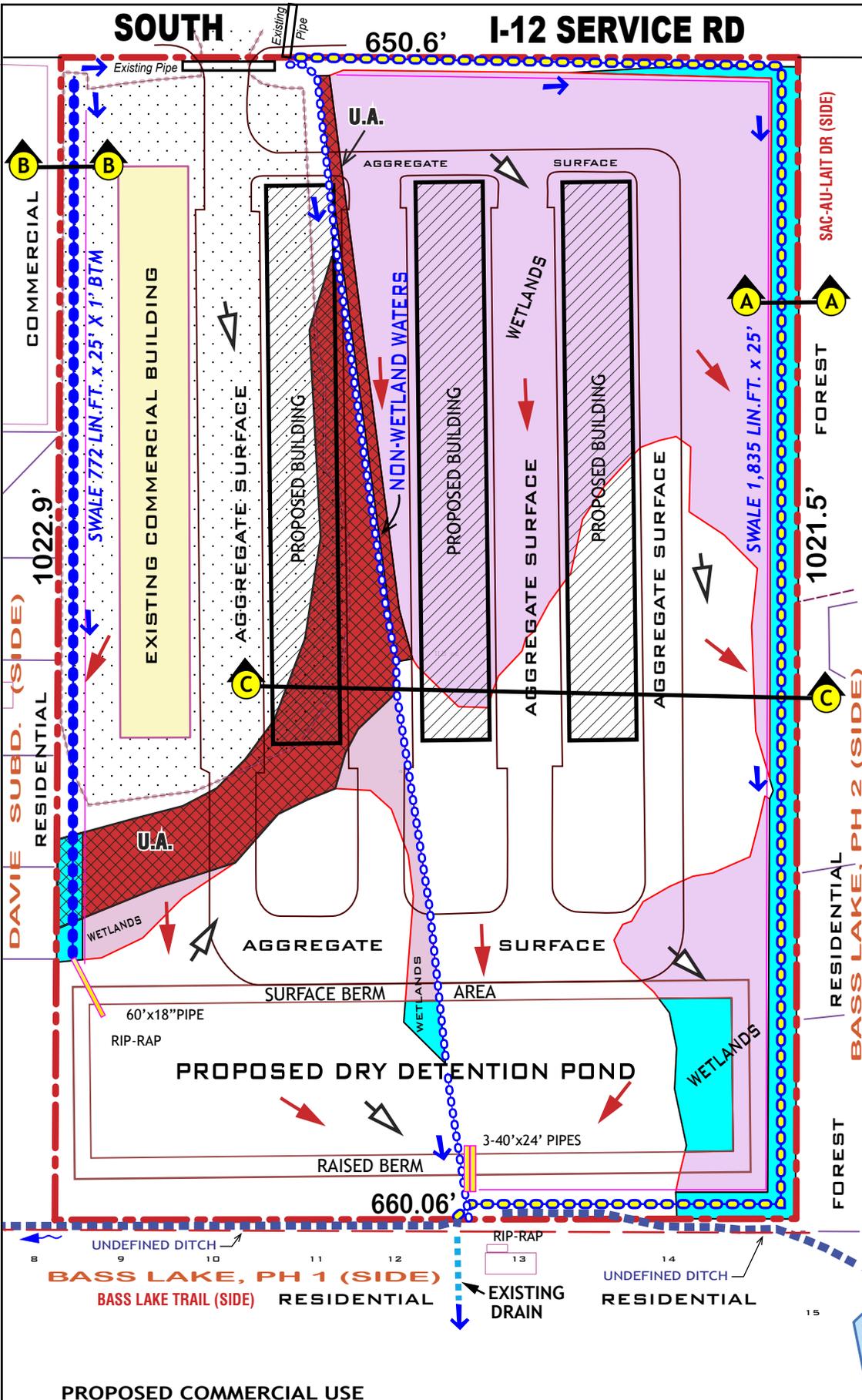
DATE 12/8/2022

APPROVED:

MVN-2009-01517-1-SL

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SOUTH I-12 SERVICE RD



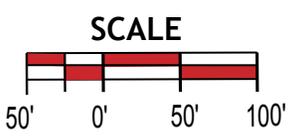
PROJECT DATA

PROJECT AREA: 15 ACRES
PROPOSED COMMERCIAL USE
 PROPOSED COMMERCIAL BUILDINGS: 3
 TOTAL BLDG. FOOTPRINT AREA: 90,000 SQ. FT.
 EXISTING COMMERCIAL BUILDING: 1
 TOTAL BLDG. FOOTPRINT AREA: 30,000 SQ. FT.
 TOTAL VOLUME CLEAN FILL TO BE PLACED ON SITE: 16,950 CU. YDS.
 TOTAL AREA DRY DETENTION POND: 75,576 SQ. FT. / 1.735 AC.

LEGEND:

- PROJECT BOUNDARY (15.0 AC.)
- TOTAL WETLANDS = 6.15 ACRES**
- U.A. TO BE MITIGATED: 1.13 AC.**
- U.A. FILLED: 1.09 AC.
- U.A. EXCAVATED: 0.040 AC.
- WETLANDS TO BE IMPACTED VIA FILL / GRADING: 4.124 AC.
- WETLANDS TO BE IMPACTED VIA EXCAVATED: 0.896 AC.
- NON-WETLAND WATERS**
- NON-WETLAND WATERS MODIFIED RE-ROUTED 1053 LIN. FT. / 0.145 AC.
- NEW LOCATION RE-ROUTED NWW 1,835 LIN. FT. / 0.084 AC.
- NEW LATERAL DRAIN 772 LIN. FT. / 0.018 AC.
- 30' ELEVATION / CONTOUR
- DRAINAGE FLOW: PRE-CONSTRUCTION
- DRAINAGE FLOW: POST CONSTRUCTION
- PROPOSED PIPE
- PROPOSED BUILDING 30,000 SQ. FT.

FEMA Flood Zone: 'X'
 FIRM Panel ID: 22105CO435F
 Effective FIRM (7/22/10)

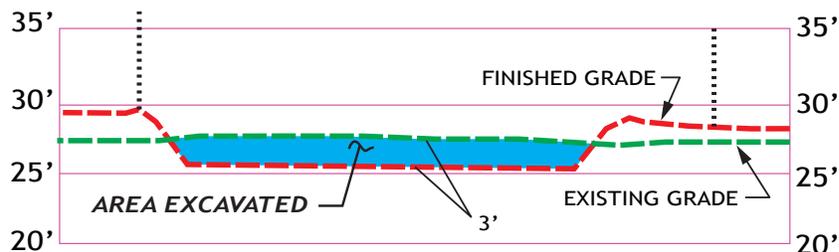
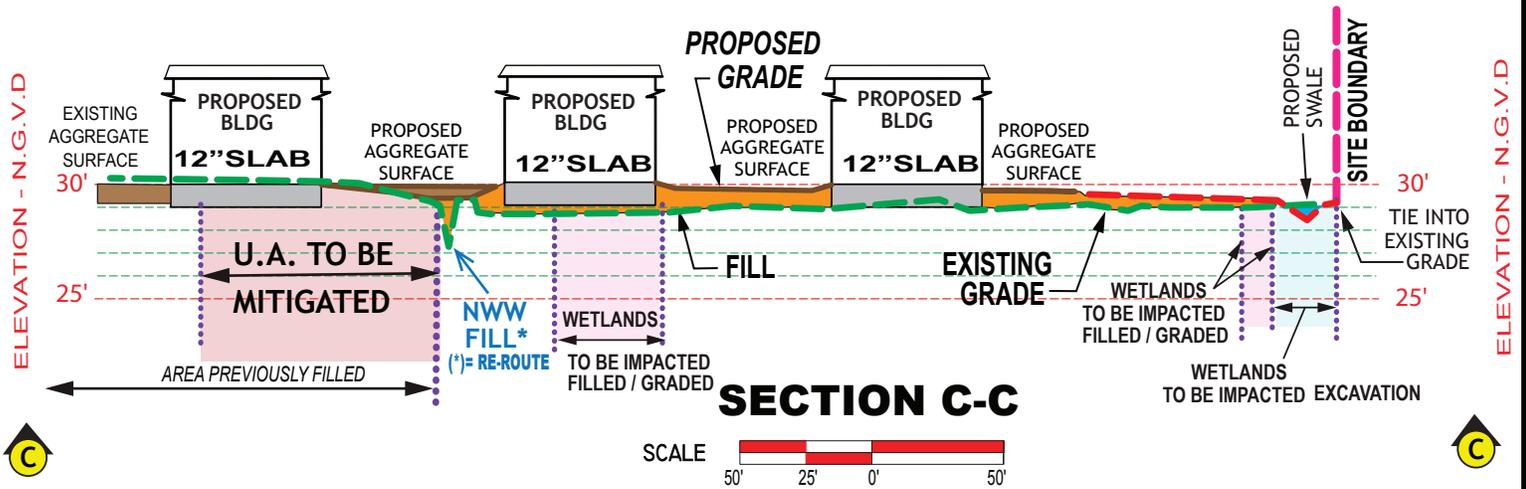
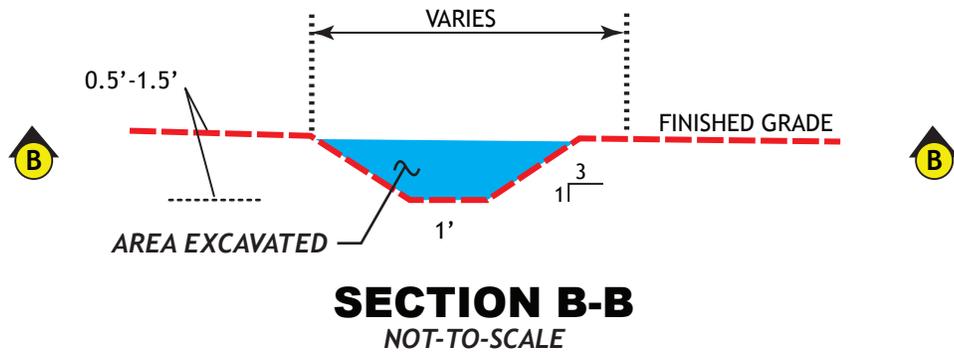
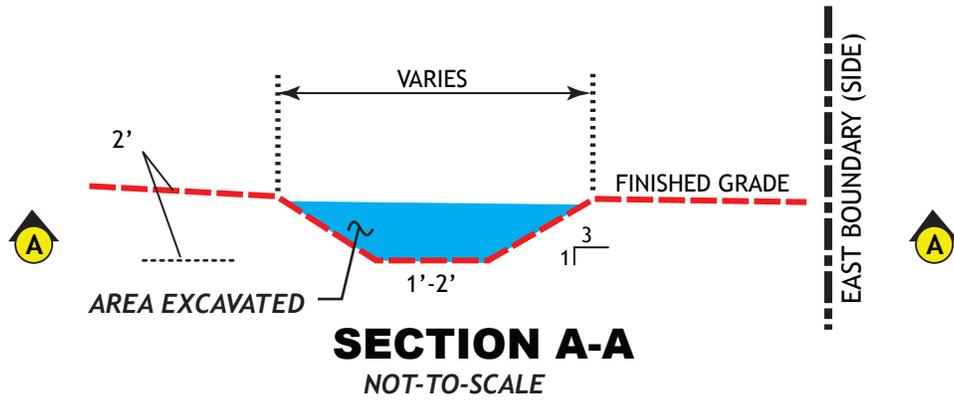


FLEA MARKET EXPANSION - HAMMOND
 SECT. 32, T6S-R8E
 TANGIPAHOA PARISH, LA
 APPLICANT: **DWAYNE ROVIRA**



FIGURE 2

MVN-2009-01517-1-SL



FLEA MARKET EXPANSION - HAMMOND
SECT. 32, T6S-R8E
TANGIPAOA PARISH, LA

APPLICANT: DWAYNE ROVIRA



FIGURE
3

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DATE 5/27/21, 12/8/22

APPROVED:

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